

MONTANA SECRETARY OF STATE

Brad Johnson



Elections Bureau
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Request for Exemption Polling Place Designated Inaccessible (as authorized in ARM 44.3.106)

Note: Montana law provides exemptions from accessibility requirements that pertain only to the requirements imposed by state law (MCA 13-3-203). Election administrators are encouraged to seek the advice of legal counsel to determine their responsibilities under the *Americans with Disabilities Act (ADA)* and other federal laws.

Polling place name _____		County _____	
Polling place address _____			
Polling place city/town name _____			
Designation: (see definitions on page 2)	Inaccessible <input type="checkbox"/>	Technically inaccessible but usable <input type="checkbox"/>	Rural <input type="checkbox"/>
	(page 2 must be completed)		

1) What aspects of the polling place are not in compliance with state minimum accessibility standards?

2) What efforts have been made to bring the polling place into compliance?

3) What efforts were made to locate an alternate site?

Date submitted _____ Election Administrator's signature _____

Phone number _____ E-mail address _____

Certification of Exemption

Date request received _____

Granted ☐ Date _____

Denied ☐ Date _____

The Secretary of State hereby requests that an accessible or "technically inaccessible but usable" polling place be located.

Signature and title _____

For Office Use Only

Effective until _____

Reason for Denial:

☐ Not in the best interest of electors with disabilities or those who are elderly.

☐ Other: _____

Definitions:

- An **accessible polling place** for purposes of certification by the Montana Secretary of State is one that meets the standards for accessibility described and enumerated in the ***Accessibility Checklist for Primary and General Election Polling Place Certification*** (2005). All items, except those in Part I—Restrooms, are requirements.
- An **inaccessible polling place** is one that does not meet the standards for accessibility and cannot be made accessible through safe, practical and cost-effective methods.
- A **technically inaccessible but usable polling place** is one that does not meet all the standards for accessibility but has been surveyed, evaluated and certified as being adequate for use as a polling place by the local *Voting Accessibility Advisory Committee*. (ARM 44.3.108-109)

The committee shall consist of a minimum of three members, two of which shall represent an organization of people who are elderly or an organization of people with disabilities.

The certification is cause for the Secretary of State to grant the polling place an exemption from the accessibility standards. In a future election, the Secretary of State may issue an objection to the criteria used for determining that the facility is usable as a polling place.

- A **rural polling place** is one that serves less than 200 registered electors. A rural polling place can be granted an exemption from the accessibility standards under Montana law. The rural designation is subject to review and possible redesignation 45 days prior to an election.

Voting Accessibility Advisory Committee Certification of Polling Place Designated *Technically Inaccessible But Usable*

We hereby certify that this polling place has been surveyed and evaluated, and that it is adequate for use as a polling place.

Signature of committee member:

Address:

Telephone number:
